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Chairman: Mr. Busacca ..... (Italy)
later: Mr. Wissa (Vice-Chairman) ..... (Egypt)
later: Mr. Busacca ..... (Italy)

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The meeting was called to order at 3.10 p.m.

Agenda item 107: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/52/12 and Add.1, A/52/97, A/52/116-S/1997/37, A/52/273, A/52/274 and Corr.1 and A/52/360)

1. **Mr. Andrysek** (International Federation of Red Cross and Red Crescent Societies) said that his organization shared some of the problems of the Office of the United Nations High Commissioner for Refugees (UNHCR), since 60 per cent of its operational activities focused on refugees and displaced persons. In the past year, UNHCR and other humanitarian aid organizations had operated in an increasingly complex and dangerous environment, and had even questioned the wisdom of continuing that effort. Contrary to the assertions of some, assisting refugees in camps that were close to the borders – feeding refugees and providing them with safe drinking water and basic health care or education – in no way contributed to fuelling conflicts; conflicts were perpetuated because their root causes were not addressed, combatants were not removed from refugee camps and, all too often, States either abdicated or did not fully discharge their responsibilities. Without an overall political solution to the root causes of the initial population displacement, repatriation often meant exporting instability.

2. The situation in the Great Lakes region was far from resolved, and there could well be new waves of refugees and displaced persons. Repatriation must be voluntary and must be carried out with dignity, respect for humanitarian principles and protection of the human rights of returnees. That required comprehensive strategies, bringing together various political, developmental and humanitarian actors and initiatives. In a time of shrinking resources, repatriation was regarded as the most desirable solution for refugees; however, those who either could not return or had been forced to flee again must not be forgotten. Support and assistance must continue to be provided in long-term refugee situations, such as in the former Yugoslavia, Iran or Nepal, as well as to new refugees on the Thai border or those fleeing Sierra Leone. In Europe, his organization had supported a group of European Red Cross societies in establishing a European Platform on Refugees with a view to the preparation of guidelines and recommendations on refugee issues. One of the issues to be considered was refugee integration, a possible durable solution that was all too often forgotten.

3. In the context of the follow-up to the regional conference on refugees and displaced persons, other involuntary immigrants and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States, his organization, in close cooperation with UNHCR and the International Organization for Migration (IOM), was pursuing an extensive programme of assistance to national societies in order to consolidate and expand their role in that area. As a representative of national organizations which remained in place after international organizations had completed their work, the Federation trusted that more governments would take steps to create an environment conducive to a constructive dialogue and effective cooperation, so that non-governmental organizations could function effectively. The nearly universal presence of national Red Cross and Red Crescent societies provided the basis for significant and useful cooperation between the Federation, UNHCR and governments; he reaffirmed his organization's commitment to cooperate in providing protection and relief to refugees and returnees.

4. **Mr. Christian** (Ghana) said that despite the success achieved by UNHCR, 26 million people worldwide continued to need its protection and assistance; UNHCR must therefore be given all the necessary facilities to enable it to continue playing an active role in intergovernmental consultations aimed at harmonizing national laws and procedures relating to refugees and promoting regional efforts to protect refugees in the framework of sound and acceptable immigration policies. Moreover, the number of internally displaced persons in Africa was continuing to increase; although the general mandate of UNHCR did not cover such persons, General Assembly resolution 50/152 could provide the basis for an institutionalized action framework that would enable UNHCR to carry out its work with greater certainty.

5. He noted with satisfaction the strengthening of cooperation between UNHCR and the United Nations human rights bodies, which had resulted in the signing of the memorandum of understanding with the United Nations Human Rights Field Operation in Rwanda and Burundi, intended to facilitate better collaboration in the monitoring of the human rights of returnees. Progress had also been made in Project Delphi, and it was to be hoped that the declared objective would be achieved within the expected time-frame, and that the commitment made by UNHCR to improve service delivery, accountability and performance would be fulfilled.

6. He was concerned about the financing of UNHCR operations. Donors had provided only $970 million out of

a total budget of $1.3 billion. It was disappointing that donations for 1996 had been lower than those for 1995; he therefore appealed to donors to increase their future contributions, or at least to maintain them at 1995 levels. He also noted with regret that the lack of adequate resources and the timing of pledges had hampered operations in the former Yugoslavia, the Great Lakes region and other areas. It was not too late to request donors to contribute adequately to the 1997 budget. He reaffirmed his support for the appeal made by the High Commissioner with regard to the financing of emergency rehabilitation activities. Resources received for that purpose could be used for both humanitarian and development activities.

7. His country had traditionally accepted refugees from African countries who had fled their countries because of civil war or political strife, and had cooperated fully with UNHCR on various projects. In recent years, his country had hosted refugees, particularly from Liberia and Togo, and had cooperated with UNHCR and its operational partners in the repatriation of those refugees. Lastly, he noted with appreciation the continued cooperation between UNHCR and the Organization of African Unity (OAU) and, in particular, acknowledged the assistance and support provided to the missions conducted by the OAU Commission of 20 on Refugees to refugee sites in the Great Lakes Region.

8. **Mr. Korneliou** (Cyprus) associated himself with the statement made by the European Union. Despite the small decrease in the number of refugees as compared with previous years, the total population of concern to UNHCR numbered almost 23 million refugees and displaced persons. The complex problems of displacement required comprehensive approaches emphasizing refugee protection, the promotion of effective responses to human rights problems which generated flows of refugees and displaced persons or impeded their voluntary return, and the voluntary repatriation of displaced persons to their countries of origin. That required closer cooperation among the governments concerned and between UNHCR and other humanitarian, human rights and development organizations.

9. Although one million refugees had returned to their homes in 1996, a better understanding of the root causes of mass exoduses could prevent the continued uprooting of millions of people. While it was necessary to create conditions enabling refugees and displaced persons to rebuild their lives in other countries, their right to return to their homes and properties was inalienable. In that regard, he emphasized the situation of the internally displaced as one of the tragic components of the Cyprus problem. In 1974, over 200,000 Cypriots had become refugees in their own homeland as a result of the Turkish invasion and the continued occupation of the northern part of Cyprus. The occupation forces had not allowed even a single refugee to return to his home since the invasion, despite repeated appeals from various international bodies. Most recently, the European Court of Human Rights had found Turkey responsible for human rights violations in the Turkish-occupied areas of the Republic of Cyprus. He stressed the humanitarian aspect of the problem of displacement, an aspect that made the work of UNHCR even more necessary.

10. **Mr. Kayinamura** (Rwanda) said that since 1959 there had been Rwandan refugees in Burundi, the Democratic Republic of Congo, Uganda, the United Republic of Tanzania and other countries. It had not been until July 1994 that the Government of National Unity had put in place a deliberate policy to encourage the return of all Rwandan refugees. Thirty-eight years later, the saga of the Rwandan refugees was coming to an end. As the report of the United Nations High Commissioner for Refugees (A/52/12) stated, 1.5 million refugees had returned to their country during the period from November to December 1996. The Government of National Unity had done its best to welcome and reintegrate as quickly as possible into their respective rural communities close to 2.8 million refugees, including those who had fled prior to 1974. The mobilization of Rwandans to assist their returning compatriots had not been easy, since the absorption and integration without major incident of approximately 25 per cent of the country's population in one week had been unprecedented. That exercise had taken place after the Government had singlehandedly stopped the genocide which had followed the withdrawal of the United Nations and had left the Rwandans at the mercy of killers. A recognition of that achievement by humanitarian agencies would be helpful.

11. The massive repatriation of Rwandan refugees was the end of the dilemma and choice which the Office of the United Nations High Commissioner for Refugees (UNHCR) had to face. Contrary to the statements made in the Committee, Rwandan refugees who had returned home had faced no dilemma. The choice of keeping them in militarized camps had not been theirs to make. It was true that their security and that of all Rwandans, including members of the international community living in Rwanda, was the responsibility of the Rwandan Government. The isolated problems that remained were not associated with the massive return of refugees but rather were caused by elements suspected of genocide and their military forces who did not wish to return to Rwanda to face justice, no matter how much humanitarian agencies cajoled them to return. He was grateful to UNHCR for its resettlement programmes in

Rwanda and urged that body to continue to provide assistance. He was also grateful to donor countries and to some professional non-governmental organizations for their commendable work in Rwandan refugee camps. The international community had spent US$ 1.2 million per day in 1996 to feed the Rwandan refugees in their camps in the then eastern part of the Democratic Republic of Congo. Now that they had returned home, it was essential to support the reintegration of refugees in the country.

12. He agreed with the statement made by the representative of the United States of America and other representatives about the need to separate armed soldiers from bona fide refugees. The military activities carried out by the army and militias of the previous Government of Rwanda in the refugee camps, which had become virtual military training camps, had been highlighted in a report prepared at the request of the Security Council, which had been finalized on 28 October 1996 but had not yet been released. He believed that its publication would have helped delegates and especially UNHCR to realize that there had been no better time and place for Rwandans to return, as their massive walk back home demonstrated. The Government of Rwanda was laying the foundations for a homogenous, united, coherent and non-sectarian society. Rwanda was no longer being portrayed as a factory for humanitarian catastrophes and refugees. Broad programmes of rehabilitation and reconciliation at the grass-roots level had been launched and were already beginning to bear fruit. Rwanda thanked Burundi, the Democratic Republic of Congo, Uganda, the United Republic of Tanzania and other countries of Africa for having hosted Rwandan refugees and for bearing with the socio-economic, political, administrative and environmental consequences of their presence. The contribution of those countries, which were not identified in monetary terms in the report of the High Commissioner, had made it possible to find a solution to the crisis of the Rwandan refugees.

13. **Ms. Bennani** (Morocco) commended the Office of the United Nations High Commissioner for Refugees on the excellent work which it was doing to help more than 26 million people, despite the continued financial difficulties which it was experiencing and other difficulties, such as the practice common in many States of detaining asylum-seekers, the various obstacles faced by returnees upon their return to their countries of origin and the problems associated with the implementation of aid programmes. Against that background, Morocco fully shared the opinion expressed in the report of the High Commissioner that voluntary repatriation appeared to be the most effective and lasting solution to refugee situations. Voluntary repatriation was a right which, with the support and protection of UNHCR, every refugee should be able to exercise, free of pressures and threats. It was a right which should not be compromised for political ends and whose exercise should be subject only to the existence of guarantees for the return of refugees to their country.

14. In the technical discussions held at the invitation of the Secretary-General and with the invaluable assistance of Mr. James Baker, former Secretary of State of the United States of America, the settlement plan regarding the question of Western Sahara had been given fresh impetus after two years of stagnation. The component of the settlement plan that concerned refugees required the attention of UNHCR, which had undertaken to review and update the repatriation plans that had been prepared in 1991. In particular, the effective action of UNHCR and the preparations made by Morocco would permit thousands of refugees from the Hamada refugee camps to again live in conditions of security, comfort and well-being after more than 20 years.

15. **Mr. Akplogan** (Benin) thanked UNHCR for the work which it was doing and condemned the attacks on the physical integrity of its staff, as well as the obstacles being put in the way of the assistance which the Office was providing for millions of refugees. The recent crises, especially those which had broken out in the Great Lakes region, had again highlighted the complexity of the refugee problem and the need for the international community to adopt a concerted approach to the search for lasting solutions. In Benin's view, the massive and persistent violations of human rights were at once the cause and consequence of the ethnic, racial and religious tensions which, particularly in Africa, led to flows of refugees and displaced persons. Benin therefore urged UNHCR to strengthen its cooperation with the Office of the United Nations High Commissioner for Human Rights.

16. Since the vast majority of refugees were women and children, who were especially vulnerable to physical violence and the violation of fundamental rights, UNHCR, the other agencies of the United Nations and non-governmental organizations must strengthen their cooperation in order to provide them with adequate assistance.

17. The Government of Benin, which has always supported voluntary repatriation, welcomed the fact that the work done by the Office of the United Nations High Commissioner for Refugees in Cotonou had facilitated the return to their country of the great majority of Togolese refugees whom Benin had received in 1993, itself a reflection of the good state of the relations of friendship and cooperation which the

two countries shared in promoting peace and security in the subregion.

18. **Mr. Donokusumo** (Indonesia) said that his delegation welcomed the activities of the Office of the United Nations High Commissioner for Refugees (UNHCR) in dealing with the problem of displaced persons, harmonizing national laws and procedures on refugees, upholding respect for the right to asylum and the principle of non-refoulement, combating violence against women refugees and protecting their rights. His delegation welcomed the publication of the *Handbook on Voluntary Repatriation* and the *Guidelines on Unaccompanied Children Seeking Asylum*, the establishment of the Reintegration and Self-reliance Unit, the cooperation between UNHCR and UNICEF in securing rights for those with special needs and the closer cooperation with the World Health Organization (WHO) and the World Food Programme (WFP). The conclusion of a framework for cooperation with the United Nations Development Programme (UNDP) would assist the High Commissioner in placing assistance within the wider development perspective while maintaining a distinction between humanitarian assistance and development in the appeal for and allocation of resources.

19. UNHCR should continue to participate in the work of the Inter-agency Standing Committee, which itself should continue to enhance the consolidated appeals process so as to ensure that all appeals were needs-based and prioritized. In addition, clearer terms of reference for the Emergency Relief Coordinator would make for a more coherent programme and facilitate a more rapid and effective response to complex emergencies. His delegation took note of the view that the lead agency model should be retained in order to ensure a coordinated response to such emergencies.

20. **Mr. Arda** (Turkey) expressed his delegation's appreciation of the Office of the United Nations High Commissioner for Refugees, especially its work in preparing multi-sectoral programmes to address the special needs of refugee women and the development of a rights-based, goal-oriented programme for refugee children. The Office, which had been exemplary in cooperating with United Nations bodies and intergovernmental and non-governmental organizations, had successfully responded to the grave humanitarian crises in the Great Lakes region, in Bosnia and Herzegovina and in Azerbaijan.

21. With regard to refugees, his delegation considered that camps infiltrated or run by armed groups, having lost their civilian and humanitarian character, should no longer enjoy the protection of UNHCR. Voluntary repatriation should continue to be the preferred solution to the refugee problem and, when that was not possible, third-country resettlement presented an alternative way of decreasing the burden on the receiving country in cases of mass exodus. Where there were involuntary movements of large populations, burden-sharing by the international community was of vital importance, as a demonstration of solidarity. It need not be limited to financial and material assistance but could also take the form of third-country resettlement. In that context, the right to asylum and the principle of non-refoulement should be respected. Moreover, domestic legislation concerning the application of the right to asylum should aim not to limit the number of applicants but to distinguish between genuine asylum-seekers from those who intended to abuse the right of asylum.

22. His delegation considered that the Ad Hoc Committee of the General Assembly for the announcement of voluntary contributions to the Programme of the United Nations High Commissioner for Refugees had served its purpose and that the money saved by its dissolution could be transferred to the UNHCR budget or to other development activities. Member States should announce their voluntary contributions in their statements on the agenda item for that topic. He therefore announced that, subject to approval by Parliament of the 1998 budget, the Turkish Government pledged to contribute $150,000 to the general programmes of UNHCR. Turkey's contribution to special programmes would be announced during the 1998 financial year.

23. *Mr. Wissa (Egypt), Vice-Chairman, took the Chair.*

24. **Mrs. Kalajdzisalihovic** (Bosnia and Herzegovina) expressed her delegation's appreciation of the efforts of the United Nations High Commissioner for Refugees and her team in assisting refugees and displaced persons in Bosnia and Herzegovina. The implementation of the Peace Agreement had yielded some moderate results, although the pace of progress was slow. One of the most crucial provisions for the establishment of a reintegrated Bosnia and Herzegovina, with two multi-ethnic entities, was the implementation of annex 7 of the Agreement, which related to the return of refugees and displaced persons. The number of those repatriated was far below the anticipated level and most of those who had returned had gone to territories controlled by their own ethnic group. The reason for that was primarily the fact that the Serb entity had not complied with the obligation to create conditions conducive to the free return of all refugees to their homes of origin. In that context, it was imperative to bring indicted war criminals before the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. The failure to do so reflected an inadequate political will on the part of some international

bodies responsible for implementing the Peace Agreement. Respect for human rights and fundamental freedoms was also essential in creating a favourable climate for the refugees' return in safety and dignity to minority-controlled areas. In that context she emphasized the positive impact of the "open cities" projects in central Bosnia and appealed to the international community to apply that model of ethnically tolerant cities as a means of political conditionality and as leverage against parties which had not complied with their obligations regarding the repatriation of minorities.

25. Another issue relating to the safe and voluntary return of refugees and displaced persons was the implementation of the results of the municipal elections held throughout Bosnia and Herzegovina on 14 September 1997. It was important that councils should be established without delay in all municipalities, since a functioning municipal assembly would not only reflect the election results and the willingness of the refugees to return, shown by the very act of voting, but would encourage the substantial return of refugees and internally displaced persons to their homes of origin. Ultimately it would mitigate the consequences of ethnic cleansing and genocide.

26. Her Government stood ready to assume more and more responsibilities in the implementation of the Peace Agreement, but without assistance from the international community, UNHCR, the United Nations International Police Task Force and the Stabilization Force led by the North Atlantic Treaty Organization, it could do little. Her Government particularly wished to encourage UNHCR to carry out more robustly the mandate entrusted to it under annex 7 of the Peace Agreement. Her delegation expressed its sincere gratitude to the Governments of countries that had offered their hospitality to refugees from Bosnia and Herzegovina and assured them of her country's commitment to finding adequate solutions for the common problem of repatriation. Although the lack of more significant improvement on the ground was frustrating, it was good that, slowly but steadily, peace was taking hold. Having experienced the horrors and traumas of the war, her country knew the importance of endeavour and patience when there existed the possibility of achieving lasting peace and stability in a reintegrated, multi-ethnic State.

27. **Mr. Afshari** (Islamic Republic of Iran) said that, because of the ever-increasing influx of refugees, the response to crises and the assistance that was provided to deal with them were often inadequate. The result had been hardship for those countries which bore the brunt in one humanitarian field, i.e. developing countries, which themselves faced various internal economic, social and political problems. It was increasingly difficult for them to cater for the needs of refugees. The international community should therefore take serious and practical measures in terms of burden-sharing and promoting resettlement of refugees. The developed countries should assign priority to allocating the necessary resources to carry out that task. For six years the Islamic Republic of Iran had been the biggest host country. Its generous refugee policy and the fact that asylum-seekers had been provided with security and basic services demonstrated not only that his Government was committed to that cause, but also that it had gone beyond the obligations set forth in international humanitarian conventions.

28. Voluntary repatriation was the best durable solution to the refugee crisis, but it would prove impossible to achieve unless the civil and regional conflicts raging in refugees' home areas were settled. The international community should make conflict resolution a priority by devising concrete repatriation plans and programmes involving host countries and countries of origin, and also by mobilizing the necessary material and financial resources. Repatriation programmes should be flexible to ensure that, if a particular programme was discontinued or interrupted, it would be possible to reallocate the resources to other refugee projects in host countries. Moreover, for reasons of efficiency it was necessary to decentralize UNHCR activities and delegate authority to field offices. UNHCR should also establish closer coordination and cooperation with the organizations and programmes of the United Nations system in order to create favourable conditions in refugees' countries of origin.

29. The issue of refugees was complex and multidimensional and required the involvement of various actors in all sectors and at all levels of social organization; a durable solution almost always required the adoption of comprehensive and coordinated measures in all sectors and at all levels. While national and international initiatives were very important, the significance of regional cooperation should also be stressed. Such cooperation could focus on the holding of conferences that would provide an opportunity to study the root causes of crises, seek collective solutions, explore early-warning mechanisms and devise preventive measures.

30. Lastly, his delegation believed that the cultural identity of refugees should be protected at all costs; in some cases, integration was used as a pretext to deprive them of their own identity.

31. **Mr. Pashayev** (Azerbaijan) said that foreign aggression, ethnic conflicts and human rights violations

continued to threaten the territorial integrity of States and had led to enormous hardships for millions of people around the world. Refugees and internally displaced persons, including the victims of foreign occupation, were the responsibility of the international community, which should devise political, economic and other mechanisms to exert pressure on the States which had caused such displacements and were delaying the achievement of a comprehensive long-term settlement. UNHCR should also be provided with the financial and political support it needed to carry forward its noble work.

32. His delegation noted with satisfaction that the number of refugees and displaced persons had fallen from 26 million to 23 million, although much remained to be done to reduce that figure still further. First, there was a need to stimulate the preventive policy of UNHCR; second, areas where more or less immediate reconciliation was feasible should be identified; third, conditions should be re-established for the safe return of refugees and internally displaced persons to their homes, whereupon it would be possible to initiate the process of resettlement, reintegration, rehabilitation and reconstruction with the participation of a broad range of international actors.

33. As a result of Armenian aggression against Azerbaijan, and the former's continuing occupation of 20 per cent of Azerbaijani territory, millions of Azerbaijanis had become refugees and internally displaced persons. It was vital that those individuals, who were living in extremely difficult conditions, should continue to receive assistance from all organizations, particularly UNHCR. His Government appealed to the international community not to diminish the valued attention which it had devoted to UNHCR programmes in Azerbaijan, particularly those concerning women and children. His delegation appreciated the work of UNHCR in the field of emergency humanitarian assistance and would welcome the implementation of care and maintenance programmes.

34. Azerbaijan attached great importance to the work of the specialized agencies, funds and programmes of the United Nations and supported the idea of closer cooperation, coordination and interaction between those entities in order to avoid overlapping and waste of resources. Such cooperation was crucial for meeting the requirements of refugees and internally displaced persons, particularly in countries where armed conflicts had taken place. It was also vital in terms of finding a long-term solution to the problem and successfully implementing post-conflict rehabilitation strategies.

35. **Mr. Gubarevich** (Belarus) said that, because of its geographical location, its relative socio-political stability and the absence of ethnic conflicts in its society, many people displaced from the territories of the former Soviet Union had flocked to Belarus. Moreover, Belarus was a transit point for people hoping to settle in Western Europe and Scandinavia. There was also the particularly difficult problem of the illegal presence in the country of thousands of people from South Asia, Africa and the Middle East who had come to Belarus for other reasons and had subsequently sought asylum. Some 30,000 people from the republics of the former Soviet Union had also asked to be given shelter. Because many immigrants lacked the wherewithal to survive, some had been forced to engage in illegal activities.

36. Given the complex nature of the situation, the Government of Belarus had modified the country's legislative and legal base with a view to improving the internal procedures for granting asylum. An immigration policy had been devised which aimed to solve the problem of refugees and other categories of immigrants while at the same time respecting fundamental human rights, outlawing any form of discrimination against immigrants and refugees, and observing the norms of international law. Pursuant to the decisions taken at the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, the Belarusian Parliament was discussing a draft law on immigration; a draft law on foreign migration and a programme to regulate migratory flows were also being elaborated. Continuing improvements were being made to the State structures dealing with migration and refugee questions, a task in which UNHCR and the International Organization for Migration had collaborated. His Government intended to implement the Joint Operational Strategy for 1996-2000 of the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration in the countries of the Commonwealth of Independent States, which had been adopted at the Regional Conference.

37. The domestic migration problems of Belarus should be dealt with in a global context, in the light of the political and ethnic processes taking place in the countries of the Commonwealth of Independent States, southern Asia and Africa. Belarus must expand its bilateral and multilateral cooperation with the countries in which population movements originated in order to try to prevent migratory flows and solve the problems they created. Agreements on international migration had already been concluded with the Russian Federation, Moldova, Ukraine, Poland and

Lithuania, and negotiations were under way with a view to reaching similar agreements with Armenia, Mongolia, Kazakhstan and Tajikistan. Agreements had also been concluded with the Russian Federation concerning the settlement of returnees and the protection of their rights within the Commonwealth of Independent States. With the cooperation of the States members of the Commonwealth of Independent States, an agreement on the prevention of illegal immigration was being drafted. Belarus was currently working with the Russian Federation, Ukraine, Lithuania and Latvia on the preparation of an agreement on readmission.

38. **Ms. Mohamed** (Yemen) said that, despite recent positive developments, it must not be forgotten that conflicts and civil wars continued to lay waste to regions throughout the world, particularly the Great Lakes, the Horn of Africa and southern Asia, causing the forced displacement of hundreds of thousands of people. International cooperation must be intensified and follow-up strategies and mechanisms must be elaborated in order to protect refugees against violations of their rights and ensure their social reintegration. To that end, States must provide sufficient funds, ensure respect for international laws and instruments and promote coordination among all the specialized agencies that dealt with refugees.

39. Yemen had been greatly affected by that human tragedy, since, by virtue of its geographical location, it received continuous waves of refugees and persons who arrived in the country illegally by sea. While the Government was prepared to assist the refugees within the framework of international conventions, their massive influx created a very heavy economic and social burden. The international community should therefore help control the situation and curb illegal entries. After receiving 60,000 Somalis, who had fled their country because of the civil war, the Government of Yemen had cooperated with UNHCR in setting up refugee camps and had done its utmost to assist the refugees. It had also received many children from the Gulf States following the war that had devastated that region and had offered them opportunities to become part of Yemeni society.

40. The elimination of forced displacement and refugee flows required an end to local conflicts, as well as national political reconciliation and compliance with international laws. Refugees would opt for voluntary repatriation if their physical integrity and social reintegration were guaranteed. Yemen commended the activities of UNHCR, the Centre for Human Rights and the United Nations Children's Fund (UNICEF), particularly those designed to implement the Programme of Action adopted at the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees, held in Geneva in 1996. In that connection, her delegation supported General Assembly resolution 51/70, in which the Assembly called upon Governments to implement the Programme of Action. In conclusion, she commended the dedication of the UNHCR staff and supported the High Commissioner's recommendation that Governments should intensify their cooperation in order to ensure the conditions necessary for its work.

41. **Mr. Matešić** (Croatia) said that the number of refugees and displaced persons remained very high despite the decrease noted by the High Commissioner in her introductory statement. The problem of displaced persons and refugee flows called for comprehensive strategies that took into account the particularities of each situation, and required the political will of the States concerned and the international community. It would be preferable to identify and address the root causes of the problem rather than to react to emergency situation but, in order to do so, it would be necessary to develop new preventive and early-warning measures and improve existing ones.

42. In recent years, Croatia had hosted thousands of refugees and, at the same time, had had to accommodate its own displaced population. Currently 287,000 refugees, displaced persons and returnees lived in Croatia, and the Government was assisting them despite the huge economic burden that that entailed. However, that number was decreasing as a result of the reintegration of most of the formerly occupied territory of Croatia and the cessation of hostilities in Bosnia and Herzegovina, which had led to the repatriation of 50,000 Bosnian refugees to the Bosnian Federation. Additionally, the Programme for the Establishment of Trust, Accelerated Return and Normalization of Living Conditions in the War-Affected Regions, implemented by a multi-ethnic national committee, had enabled 9,000 Croatian citizens of Serb origin living in Eastern Slavonia to return to other parts of Croatia. Unfortunately, out of the 80,000 persons who had been displaced from Eastern Slavonia, primarily ethnic Croats, only 2,000 had returned. By 15 September 1997, 17,432 Croatian citizens of Serb ethnicity had returned from the Federal Republic of Yugoslavia. As those figures indicated, Croatia was the only areas of the former Yugoslavia that received a significant number of minority returnees. It should be noted that very few countries had, so shortly after a conflict, allowed the return of and initiated reconciliation with members of their population that had supported the aggressor. With regard to Bosnia and Herzegovina, 183,000 refugees and 200,000 displaced persons had returned to their homes. Croatia was particularly concerned about the fate of

400,000 Bosnian Croat refugees or displaced persons and it called upon the international community to provide assistance to those persons. Bosnian Croats must be able to return to their homes, particularly to central Bosnia and the Posavina region, in order for Bosnia and Herzegovina to function as a pluralistic, multi-ethnic State. The reports of ill-treatment of ethnic Croats in the Federal Republic of Yugoslavia were very disturbing; in that regard, it should be noted that 43,000 ethnic Croats had been forced to leave Serbia since 1991. The return of displaced persons would be enhanced by the economic reconstructions of war-damaged regions and by political solutions to conflicts. That could be accomplished only with the assistance of the international community.

43. **Mr. Abelian** (Armenia) said that, despite the decrease noted by the High Commissioner in her introductory statement, the large number of refugees and displaced persons throughout the world was a serious problem for the affected countries and the international community. It was therefore necessary to find a durable solution to the problem and, in the meantime, to develop preventive strategies based on political, economic and humanitarian measures.

44. Armenia had hosted a large number of refugees from Azerbaijan; together with internally displaced persons from Armenia fleeing the areas near the border with Azerbaijan in order to escape shelling, they accounted for 12 per cent of the country's population. The crisis of refugees and displaced persons placed a heavy burden on Armenia, a country with an economy in transition. The crisis was aggravated by Azerbaijan's blockade of main communication routes. Nevertheless, having accommodated the refugees, the Government of Armenia was doing its utmost to meet their needs and integrate them into society. To that end, Armenia had adopted a law granting the refugees the right to acquire Armenian citizenship.

45. While States bore responsibility for implementing assistance programmes for refugees, existing needs far exceeded the human, technical and financial resources of many countries. The international community must therefore provide assistance to those States in accordance with the provisions of the Programme of Action adopted by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva in 1996. In that connection, the Government of Armenia appreciated the humanitarian assistance extended by individual States, international organizations and non-governmental organizations, and commended the activities carried out by UNHCR in Armenia. His Government called upon the United Nations to take the necessary steps to assess the needs of the civilian population of Nagorny Karabakh and to provide humanitarian assistance to it. To that end, consideration should be given to the possibility of setting up mechanisms, such as humanitarian corridors, to ensure that such assistance reached the population in need of it. In conclusion, he urged States to continue to encourage the preventive activities being carried out by humanitarian and human rights organizations and to promote tolerance and respect for human rights, including minority rights.

46. **Mr. Chikuni** (Malawi) expressed his delegation's support for the statement made on behalf of the Southern African Development Community (SADC), of which Malawi was a member, and said that the Community had begun to implement a regional strategy for assisting refugees, returnees and internally displaced persons. His delegation also supported the expansion of the mandate of UNHCR which, under the leadership of the High Commissioner, was making every effort to assist refugees in various parts of the world. The period following the cold war had been characterized by massive flows of refugees and displaced persons as a result of ethnic conflicts. Since refugee issues were the responsibility of the international community, States must cooperate in order to ensure the voluntary repatriation of such persons. While that was one durable solution to the refugee problem, the countries of origin must make fundamental changes so that refugees would not fear persecution and would make the decision to return voluntarily.

47. Malawi, which hosted refugees from Somalia, Rwanda, Burundi and the Democratic Republic of the Congo, was following the political developments in those countries with interest. Despite the Malawian Government's repatriation programme, only 60 out of 748 Rwandans had decided to return to Rwanda voluntarily. The others were still considered refugees and received Government assistance. They had not been subjected to any pressure to leave Malawi. Repatriation could, of course, lead to new problems. Sometimes returnees found their homes destroyed, lacked an adequate food supply and faced the danger of new atrocities. Accordingly, his delegation urged the international community to cooperate with UNHCR in order to promote the repatriation of refugees and ensure their social reintegration. In addition, conditions conducive to the return of refugees must be created. That included, in particular, the removal of landmines planted in many countries of origin. Mine clearance should be part of a special programme to be implemented before refugees were repatriated.

48. Lastly, some recent repatriation exercises had not received support from human rights organizations, which had blamed Governments, often wrongly, for forcibly repatriating refugees. Although many countries respected the various instruments and protocols on the question, a lack of trust still prevailed with regard to refugee issues. Nevertheless, with the cooperation of UNHCR and the international community, and through consultations with the refugees and the countries of origin, the repatriation could be carried out without problems.

49. *Mr. Busacca (Italy) resumed the Chair.*

50. **Ms. Silkalna** (Latvia) said that Latvia was firmly committed to adopting international practice on questions relating to refugees and asylum-seekers. It intended to implement the standards of the European Union in all spheres. In that connection, her delegation supported the statement made on behalf of the European Union on that item.

51. Since Latvia was situated in a transit region, questions relating to asylum-seekers and refugees were one of her Government's priority tasks. Latvia had submitted proposals to the Russian Federation and Belarus on the conclusion of readmission agreements, and encouraging discussions on the matter had already been begun with Ukraine. The Latvian Parliament had recently adopted the Law on Asylum-Seekers and Refugees in the Republic of Latvia. The ratification of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, without geographical restrictions, had taken place on 2 October 1997. Priority tasks included the refurbishment of a refugee reception centre, staff training and the establishment of appropriate management information systems. In addition, extensive training would be provided in the areas of implementation of refugee law, determination of refugee status, operation of reception centres and language training. Her Government had proposed that the bulk of international assistance should be provided as cost-sharing contributions to a nationally-executed project financed by various donors, UNDP and UNHCR. It also appreciated the commitment of the Nordic countries and the United States of America to providing technical and financial assistance to Latvia so that it could achieve its goals in that field. Her Government was also extremely grateful to UNHCR, and, in particular, the UNHCR Regional Office for the Nordic and Baltic Countries, and would welcome a greater UNHCR presence in Latvia, possibly through the establishment of a regional sub-office in Riga.

52. **Mr. Paulauskas** (Lithuania) supported the statement by the representative of Luxembourg on behalf of the European Union. Lithuania had adopted the Law on the Status of Refugees and six new regulations, which complemented the laws on emigration and immigration that had been in force since 1992. In addition to establishing the legal basis, his Government had taken measures for the appropriate accommodation of refugees in Lithuania. A Foreigners' Registration Centre had been established and the Refugee Appeal Board, which collected and analysed information on migration processes in the territory of Lithuania and acted as an institution for refugees' appeals, had recently become operational. Lithuania currently devoted special attention to training programmes for the staff of migration authorities, the functioning of a unified system of information on migratory processes and the building of public awareness on refugee issues. The assistance provided by the Nordic countries had significantly contributed to those achievements. His Government was grateful for the financial assistance provided by the European Union to the Baltic States for border control and immigration procedures. The International Organization for Migration (IOM) had decided to establish a regional office in Vilnius, and Lithuania expected to become a member of that organization in the near future.

53. The geographical location of the Baltic States made them attractive transit points for illegal migrants bound for Europe and North America. Combating illegal migration and the trafficking of migrants required cooperation among affected and interested countries in the region. Agreements on the readmission of illegal migrants were important instruments for the prevention of illegal migration and trafficking in migrants. Lithuania had concluded readmission agreements with the Nordic countries, the Visegrád countries and most European Union countries. It expected to conclude readmission agreements with Belarus and the Russian Federation, in accordance with the recommendations contained in the Programme of Action adopted by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva in May 1996. Lithuania supported the provisions of the Programme of Action concerning bilateral and multilateral cooperation in the exchange of information on migratory processes, the return of persons belonging to formerly deported peoples and the fight against illegal migration and trafficking in migrants. The structures of the United Nations and other relevant international organizations should contribute to those important activities. Lastly, his delegation welcomed the opening of the UNHCR office in Strasbourg, which would

enable the United Nations to strengthen cooperation with the Council of Europe in the protection of human rights.

54. **Mr. Bohaievs'ky** (Ukraine) said that it was disturbing that the situation of refugees in the world had not improved very much. The magnitude of the mass displacement of peoples called for the adoption of an integrated approach that addressed not only the immediate symptoms of the problem but also its underlying causes. That required close cooperation among the relevant United Nations agencies, international and regional intergovernmental organizations and non-governmental organizations. His delegation welcomed the fact that UNHCR was creating new opportunities for resolving refugee problems, such as cooperation with IOM and, more recently, the launching of human rights monitoring operations in a number of countries.

55. The questions addressed at the Conference on refugees, displaced persons, other forms of involuntary displacement and returnees in countries of the Commonwealth of Independent States and relevant neighboring States were very important to Ukraine in its search for peace, harmony and stability. The Programme of Action adopted by the Conference was a useful tool in dealing with refugee issues. The modest response to the joint UNHCR-IOM fundraising appeal was therefore a matter of concern. Based on that Programme of Action, Ukraine had re-evaluated its legislation and policy on migration and had taken a series of important steps in the main areas covered by the document.

56. The most difficult challenge facing Ukraine was the return of a large number of refugees to their native Crimea since the beginning of the decade: to date, 250,000 Tartars and 12,000 members of other ethnic groups had returned to Crimea. In seeking an appropriate solution to the problems of former deportees, Ukraine maintained contacts with the countries where they had resided and to whose development they had contributed. Although Ukraine was the only country thus far to ratify the 1992 Bishkek Agreement on restoration of the rights of deportees, it was encouraged that other countries had indicated their desire to negotiate bilateral agreements in order to facilitate the voluntary return to Ukraine of former deportees and their descendants. Since 1992, the Ukrainian Government had allocated $300 million and had provided material assistance to facilitate the social reintegration of refugees and to maintain peace and tolerance within a complex economic and socio-political environment. Yet, that amount barely covered a small part of the need, which exceeded the capability even of UNHCR and IOM to provide assistance. Ukraine thus welcomed the proposal of the High Commissioner for Minorities of the Organization for Security and Cooperation in Europe (OSCE) to hold a meeting on Crimea with potential donors and hoped that UNHCR would give its valuable support to that initiative.

57. **Mr. Bhatti** (Pakistan) commended UNHCR for its effectiveness in coping with unprecedented humanitarian emergencies. To allow UNHCR to continue to deal with the humanitarian tragedies caused by population displacements, the international community should reaffirm its commitment to uphold fundamental humanitarian principles and strengthen national protection arrangements in order to find a lasting solution to the refugee problem. Pakistan believed that voluntary repatriation was the best way to resolve humanitarian tragedies. However, the international community must reaffirm its commitment to the institution of asylum, which was threatened by the perception that asylum-seekers were a burden and a threat to national and regional security. The vast number of persons fleeing repression and conflict should not be penalized for the crimes of those few who abused the norms of international protection.

58. Pakistan was encouraged by the success of UNHCR repatriation efforts in Bosnia and Herzegovina. Although those activities had not progressed at the pace the international community might have liked to see, they gave hope for the future. He drew particular attention to the Bosnian Women's Initiative and to a similar initiative that UNHCR had begun in Rwanda.

59. His delegation drew the attention of UNHCR and the world community to the serious situation of refugee children, who were exposed to violence, sexual exploitation, abuse and disease, including HIV/AIDS. Increased cooperation among United Nations agencies, non-governmental organizations and other actors of civil society was needed to improve the situation of refugee and unaccompanied children.

60. In recent years, Pakistan had hosted approximately 1.2 million Afghan refugees, according to UNHCR estimates. Most of the 120,000 refugees who had returned voluntarily to Afghanistan in 1996 with the support of UNHCR had come back to Pakistan, as they could not find any means of subsistence at home. Pakistan, with the support of the international community, had welcomed Afghan refugees with open arms, but the abrupt end to that support had put pressure on its meagre economic resources. While it could have opted for forced repatriation, Pakistan had continued to provide for the needs of Afghan refugees with its own resources, despite the enormous administrative, economic and social repercussions their presence in the country and their participation in the economic activities had caused, and

the sometimes permanent environmental damage resulting from their concentration in the northern regions of the country. UNHCR, in coordination with other United Nations agencies and the international community, should provide assistance to Afghan refugees in order to alleviate economic pressure on Pakistan. The international community must also help to prepare a comprehensive plan for their repatriation and rehabilitation. Pakistan fully appreciated the reservations expressed with regard to certain of Afghanistan's policies; however, it felt that the needs of children, women and the disabled should not be neglected because of ideological differences. In his delegation's view, the prospects for peace in Afghanistan would brighten if international assistance was expanded and constructive engagement with its Government undertaken.

61. **Mr. Kapanga** (Democratic Republic of the Congo) recalled that Botswana had made a statement on the agenda item on behalf of the Southern African Development Community (SADC), of which his country was a member. Nevertheless, with particular reference to the problem of refugees in the Great Lakes region, he wished to draw attention to the unprecedented situation where the refugee camps in the Democratic Republic of the Congo had become military training camps. In that connection, he was pleased that the report of the High Commissioner had acknowledged that the difficulties UNHCR had encountered in the region had been caused by the presence of armed refugees in the camps. The Government of the Democratic Republic of the Congo, which had fought the forces of the former dictatorship, had also had to combat perpetrators of genocide who had become mercenaries and who had attempted to prevent the country's liberation by hiding among the real refugees. The Alliance of Democratic Forces for the Liberation of the Congo had saved from genocide and repatriated over 750,000 Rwandan refugees, who had been used as a shield. The prolonged presence of those refugees in the country had had a negative impact on part of the population, which had suffered from the extension of the genocide in Rwanda. The Democratic Republic of the Congo hoped that the investigation commission appointed by the Secretary-General to clarify presumed violations of human rights in the eastern part of the country would shed some light on the matter.

62. His country needed assistance to overcome the damage to its economy and environment caused by the presence of the refugees. He invited the international community to echo the determination expressed by the High Commissioner in her statement to implement General Assembly resolution 49/24. He also urged the international community to provide assistance to other refugees hosted by his country, in particular those from the Republic of the Congo, who also had urgent needs, although they had not received as much attention as the Rwandese refugees.

63. **Mr. Pashayev** (Azerbaijan), speaking in exercise of the right of reply, expressed his surprise at the appeal by the representative of Armenia for assistance to international refugees, given that Armenia was guilty of creating a serious humanitarian situation in the region. It had formed and supported separatist groups in Nagorny Karabakh and occupied one fifth of the territory of Azerbaijan. As a result of the ethnic cleansing of Azerbaijanis from the territory of Armenia and from the occupied part of the territory of Azerbaijan, there were currently over 1 million refugees and displaced persons. The Armenian armed forces, backed by mercenary formations and terrorist groups, had killed thousands of people, committed other gross violations of human rights and destroyed housing and property valued at tens of millions of dollars. They controlled not only Nagorny Karabakh but an area four times greater. Moreover, the blockade imposed on Azerbaijan was still in place. If Armenia was really concerned about the living conditions of the Armenians inhabiting the Azerbaijani region of Nagorny Karabakh and wished to restore peace and stability in the region, it should refrain from interfering in the internal affairs of sovereign States, abandon its plans to occupy 20 per cent of the territory of Azerbaijan and agree to participate in negotiations aimed at resolving the conflict.

64. **Ms. Younos** (Afghanistan), speaking in exercise of the right of reply, said, with reference to the remarks made by the representative of Pakistan about the problems caused by the presence of Afghan refugees in his country, that Afghan children living in the camps in Pakistan were in an extremely difficult situation. That should not be forgotten, nor should the fact that the refugees did not have the right to work and lacked resources and adequate medical care. She also noted that the Taliban, who were destroying Afghanistan and decimating the Afghan people, had received training in Pakistan.

65. **Mrs. Ogata** (United Nations High Commissioner for Refugees) said that her Office was confronted with a crisis not of principles and values but of their application. In the statements of many delegations there had been more emphasis on protection issues than had been the case over the past few years, and she welcomed the support expressed for humanitarian principles, since there was a trend to disregard such principles. She was pleased by the positive developments in that area, like the increase in resettlement quotas and the accession of the Baltic States to the 1951 Convention relating to the Status of Refugees.

66. In certain parts of the world the practical measures set out in the various instruments on basic refugee rights (asylum and non-refoulement) had been insufficiently applied and sometimes completely disregarded. Her Office was ready to discuss with Governments ways and means of making such measures more effective in the world's ever-changing environment.

67. She fully supported the plea of many delegations that adequate assistance should be provided not only to refugees but also to their host communities, particularly in situations of mass influx. For that reason it was necessary to evolve from the relief-to-development cycle to a more global approach which would involve developmental actors from the outset of humanitarian crises.

68. She concurred with delegations that had emphasized the growing importance of regional organizations in addressing humanitarian problems and in working to prevent them, as the Economic Community of West African States had done during the Liberian conflict. Her Office was working more frequently and closely with the Organization of African Unity and OSCE. In other regions, such as the Commonwealth of Independent States and the countries of Central and South-West Asia, her Office had adopted a comprehensive regional approach. Cooperation with the Intergovernmental Authority for Development of the countries of the Horn of Africa or the Southern African Development Community could contribute to the resolution of some refugee situations in their areas.

69. The internal conflict that had recently ended in the Congo indicated, as some delegations had suggested, that the international community should be prepared for further crises of human displacement in the years ahead. At the same time, the challenges of repatriation and reintegration in the Great Lakes region, Bosnia and Herzegovina and elsewhere had to be met. The statements by delegations had confirmed that they supported the work of her Office and the extension of its mandate, which ended in December 1998.

70. In order to fulfil its basic functions of providing international protection to refugees and seeking permanent solutions to their problems, her Office needed to be supplied with adequate resources. Given that it was a humanitarian, non-political organization operating in a politically charged context, effective political initiatives to resolve dilemmas and diminish the risks being faced on a daily basis should be undertaken. She hoped that delegations' expressions of sympathy and appreciation could be translated into the political and financial support required to prevent and resolve refugee crises and to protect humanitarian personnel living and working in dangerous conflict situations.

71. **The Chairman** announced that the Committee had concluded its general debate on agenda item 107.

The meeting rose at 6 p.m.